20.7.2017 Misc.Case No.202 of 2017

This is an application for condonation of delay in filing the substitution application.

Considering the submissions made and grounds taken in the application, delay in filing the substitution application is condoned.

Misc.Case is accordingly disposed of.

(S.C.PARIJA, J.)

(D.DASH,J.)

Misc. Case No.201 of 2017

This is an application for setting aside abatement as against deceased petitioner.

Considering the submissions made and the grounds taken in the application, abatement against deceased petitioner is set aside.

Misc.Case is disposed of accordingly.

(S.C.PARIJA, J.)

(D.DASH,J.)

Misc.Case No.138 of 2017

This is an application under Order 22, Rule 3 CPC for substitution of deceased petitioner (Smt. Taramani Acharya), by her legal heirs, as detailed in the Schedule to the application.

Considering the submissions made and the grounds taken in the application, the application for substitution is allowed. The deceased-petitioner be substituted by her legal heirs as petitioner nos.1 (a), 1(b) and 1(c).

Consolidated cause title incorporating the names of the newly substituted petitioner nos. 1(a) to 1(c) is filed in Court today, which is taken on record.

Misc.Case is accordingly disposed of.

(S.C.PARIJA, J.)

OJC No.1845 of 2017

Heard learned counsel for the petitioners and learned counsel for the State

This writ petition has been filed praying for a direction to the opposite parties to pay compensation in respect of their acquired land/property, which is alleged to be in forcible occupation of the opposite parties.

Learned counsel for the State, on instruction submits that the land/property of the petitioners has neither been acquired nor is in possession of the State. It is accordingly submitted that the question of payment of compensation to the petitioners does not arise.

Considering the submissions made by the learned counsel for the State and keeping in view the fact that the land of the petitioners has not been acquired by the State, this writ petition is disposed of with the observation that the petitioners are at liberty to utilize their land, as would be deemed fit and proper.

Issue urgent certified copy as per rules.

(S.C.PARIJA, J.)

(D.DASH,J.)